

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Richmond Division

| | | |
|---|---|------------------------------|
| In re: |) | CHAPTER 11 |
| |) | |
| |) | |
| CIRCUIT CITY STORES, INC., et. al. |) | Case No. 08-35653-KRH |
| |) | Jointly Administered |
| Debtors. |) | |
| |) | |
| |) | |
| HILLSBOROUGH COUNTY, |) | |
| a political subdivision |) | |
| of the State of Florida, |) | |
| Movant, |) | |
| |) | |
| |) | |
| v. |) | |
| |) | |
| CIRCUIT CITY STORES, INC., et al., |) | |
| Respondents. |) | |

**AGREED ORDER GRANTING MOTION FOR RELIEF
FROM AUTOMATIC STAY OF 11 U.S.C. § 362(A)**

This day came Hillsborough County, a political subdivision of the State of Florida, (the “Movant”), by counsel, and the Debtors, Circuit City Stores, Inc. (the “Debtors”), also by counsel, upon the Movant’s Motion for Relief of Automatic Stay filed herein by the Movant. Accordingly, upon consideration of the limited and specific relief requested by the Movant;

WHEREUPON, it appearing that the Debtors have an ownership interest in certain real property located at 18061 Highwoods Preserve, Tampa, Florida 33647, (property identification number A-14-27-19-1AS-000000-000A2.0), recorded in the

county plat book 0083, page number 0041, and known as Division B, Parcel 708, ("Parcel 708"), and with respect to Parcel 708 Movant has filed a pre-petition Eminent Domain and Declaration of Taking Action in the Circuit Court of Thirteenth Judicial Circuit in and for Hillsborough County, State of Florida – Civil Division, ("State Court"), Case Number 08-22694, ("State Action"), whereby in consideration for a temporary construction easement, the Debtors will recover from Movant the total sum of Two Thousand, Five Hundred Dollars and No Cents (\$2,500.00) in full compensation for any and all claims, including any property interests taken, business damages and all other damages claimed by the Debtors;

AND, it also appearing that the parties have agreed to the entry of a Joint Motion For Stipulated Final Judgment and Order as to Parcel 708 so as to permit Movant to perfect the Taking pursuant to the State Action;

AND, it appearing the portion of Parcel 708 subject to the State Action is not property necessary to an effective reorganization of the debtors;

AND, it being right and proper to do so for good cause shown,

IT IS SO ORDERED that the automatic stay of 11 U.S.C. §362(a) is hereby TERMINATED AND LIFTED immediately so as to permit the Circuit Court of the Thirteenth Judicial Circuit in and for the Hillsborough County State of Florida – Civil Division, to proceed with the pending Eminent Domain and Taking Action, and endorse and enter the Joint Motion for Stipulated Final Judgment and Order as to Parcel 708, and any other order(s) which are related and necessary to that cause, and to retain jurisdiction solely for enforcement of that Taking Action;

IT IS FURTHER ORDERED, that that the automatic stay is hereby terminated with respect to Movant's rights to and interest in Parcel 708 and Movant is authorized to fully exercise and enforce all of its rights to and interests therein without the filing of any Notice(s), and without further Order of this Court; and that all applicable waiting periods are waived, and that this Order shall be forward to counsel of record, including the Office of the U.S. Trustee.

Date: Dec 29 2008

By the Court:

/s/ Kevin R. Huennekens

The Honorable Kevin R. Huennekens
UNITED STATES BANKRUPTCY JUDGE

Order Entered on Docket: December 30 2008

I ASK FOR THIS:

/s/ P. Matthew Roberts
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SEEN AND AGREED:

/s/ Daniel F. Blanks
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Fax: (757) 640-3957
Counsel for the Debtors

**CERTIFICATION IS HEREBY MADE THAT THE FOREGOING ORDER WAS
ENDORSED BY AND/OR SERVED UPON ALL NECESSARY PARTIES
PURSUANT TO LOCAL RULE 9022-1(C).**

/s/ P. Matthew Roberts
P. MATTHEW ROBERTS

COPIES OF THIS ORDER ARE TO BE SENT TO:

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Imaged Certificate of Service Page 5 of 5
CERTIFICATE OF NOTICE

District/off: 0422-7
Case: 08-35653

User: frenchs
Form ID: pdforder

Page 1 of 1
Total Served: 4

Date Rcvd: Dec 30, 2008

The following entities were served by first class mail on Jan 01, 2009.

+Chris Dickerson, 333 W. Wacker Dr., Chicago, IL 60606-1220
+Gregg Galardi, One Rodney Sq., PO Box 636, Wilmington, DE 19899-0636
+Linda Myers, 200 E. Randolph Drive, Chicago, IL 60601-6436
+Robert Van Arsdale, 701 Broad St, # 4300, Richmond, VA 23219-1833

The following entities were served by electronic transmission.

NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 01, 2009

Signature:

